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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/733,415 Confirmation No. 9097
Applicant : T. ITO et al
Filed : December 12, 2003
Title : A CAMERA INFORMATION RECORDING APPARATUS
FOR RECORDING IMAGE DATA IN AN OPTICAL DISK
WHEREIN MANAGING INFORMATION IS STORED
WHEN THE RESIDUAL STORAGE OF A BATTERY
DECREASES (As Amended)
TC/AU : TBD
Examiner : TBD
Docket No. : HIT 2 937-06

Commissioner for Patents
Mail Stop DD
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SUBSTANCE
AND
INFORMATION DISCLOSURE STATEMENT (IDS)
UNDER § 1.97 AND § 1.98

Sir:

1. This IDS should be considered:

(a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;

(b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 is enclosed, or if not see section 5 below);

(c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is included in section 4 below (included when indicated by a marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 to cover the petition fee, or if not see section 5 below).

2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.

3. Listing of the information submitted is on the attached Form PTO-1449, which forms a part of this IDS. A copy of each listed document is enclosed when needed.

4. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417.

5. Concise Explanation of Relevance of Japanese Documents cited without reference to a U.S. counterpart document:

a. Reference JP 09-204683 discloses, in section 0065, that the disk type decision means discriminates a type of disk loaded to an optical drive and there is a mention of a method of detecting an identification mark previously recorded in a cartridge of the disk.

b. Reference JP 06-124567, in claim 3, an information recording/reproducing device which comprises a write protect tab as a disk identification means for detecting whether a recording medium is in a write protect state or not.

c. Reference JP 07-235125 discloses, in claim 1, a medium recording and reproducing apparatus having a first type detecting means for detecting the type of medium based on a shape of a cartridge and a second type detecting means for detecting the type of medium based on a medium identification information read out by a reading means.

d. Reference JP 06-302092 discloses, in section 0037, a discrimination between a playback-only optical disk and a re-writable magneto-optical disk by detecting an identification dent provided in a disk cartridge.

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Information Disclosure Statement
dated ?

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6. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By 

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